



Docket No.: 21478USWO (C038435/0187441)

REPLY UNDER  
37 CFR § 1.116  
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EXPEDITED PROCEDURE  
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TECHNOLOGY CENTER 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*In re* Application of: )  
Daniel RAEDERSTORFF *et al.* )  
Serial No.: 10/533,858 ) Examiner: M. L. McCormick  
Filed: December 12, 2005 ) Art Unit: 1655  
For: NOVEL NUTRACEUTICAL )  
COMPOSITIONS COMPRISING )  
EPIGALLOCATECHIN GALLATE )

New York, New York  
December 11, 2007

**RESPONSE TO OFFICE ACTION UNDER 37 CFR § 1.116 INCLUDING  
AMENDMENT AND PETITION FOR EXTENSION OF TIME**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed July 11, 2007, which set a three-month shortened statutory period for response. A two-month extension of time to respond to the Office Action is hereby requested. Accordingly, this response is filed

timely upon mailing, with an executed certificate of mailing, on or before December 11, 2007. 37 CFR §§ 1.7 and 1.136. The fee for the extension of time is \$460.00. 37 CFR § 1.17.

Also enclosed is a Notice of Appeal. The fee for Notice of Appeal is \$510.00. 37 CFR § 41.20(b)(1). Enclosed is a check for \$970.00 to cover the fees for extension and Notice of Appeal. Please charge any required extension-of-time fees not otherwise paid by check to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

Because the Office Action made the rejection of the pending claims final, consideration of this response pursuant to the expedited procedure for response after final rejection set forth in MPEP § 714.13 (8<sup>th</sup> Ed., Rev. 6, Sept. 2007, pp. 700-263 to 700-264) respectfully is solicited.

Please amend the application as follows:

**AMENDMENTS TO THE CLAIMS** are reflected in the listing of claims, which begins on page 3 of this paper.

**REMARKS** begin on page 8 of this paper.